



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Albuquerque Area Indian Health Service
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DATE: August 10, 2001

TO: Division Directors, AAIHS, National Programs, NAIHS
Chief Executive Officers, AAIHS, NAIHS
Health Center Directors
Attention: All Supervisors

FROM: Acting Director, Division of Human Resources
Albuquerque Area Indian Health Service

SUBJECT: Guidance on SF-7B Records in Operating Offices

This memorandum serves as an annual reminder to supervisors and managers on the proper establishment, maintenance, and disposal of employee records and files as authorized for retention by Operating Offices within the Indian Health Service.

Attached for your reference is a copy of the Indian Health Service Guidance on SF-7B Records in Operating Offices dated March 1988. Of importance, please note the general requirements listed on pages 3-4 and the filing and retention schedules shown in Exhibit I. In the event that this Guide conflicts with a labor management agreement, the provisions of the agreement take precedence until the agreement expires.

Please share this information with your supervisors and managers. This memorandum should be made part of your orientation package for new supervisors. A copy of this memorandum is available on-line at the Division of Human Resources website www2.ihs.gov/aaodhr. If you have any questions, you may contact Vince Lujan or Ernestine Overfield, Division of Human Resources, at (505) 248-4510.

Attachments

cc: Administrative Officers

GUIDANCE ON SF-7B RECORDS IN OPERATING OFFICES



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE
INDIAN HEALTH SERVICE**

March 1988

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GUIDE ON SF-7B RECORDS IN OPERATING OFFICES

PURPOSE AND SCOPE

The purpose of this Guide is to provide information and guidance concerning the establishment, maintenance, and disposal of employee records and files authorized for retention by Operating Offices within the Indian Health Service (IHS).

This Guide does not cover official personnel records and files maintained by the personnel office, e.g., the Official Personnel Folder, official adverse action files, grievance files, etc.

In the event that this Guide conflicts with a labor management agreement, the provisions of the agreement take precedence until the agreement expires.

RELATED REFERENCES

1. FPM Chapter 293, Personnel Records and Files.
2. FPM Supplement 293-31, Basic Personnel Records and Files System.
3. HHS Instruction 293-1/1613-2, Personnel and Equal Employment Records Disposal
4. HHS Instruction 293-2, Official Personnel Folder and Other Personnel Files.
5. HHS Instruction 293-3, Employee Performance File System Records.
6. FPM Chapter 294, Availability of Official Information.
7. HHS Instruction 297-1, Protection of Privacy in Personnel Records Systems.

DEFINITIONS

For purposes of this issuance, the following definitions apply:

1. Service Personnel Office (SPO)

The Office responsible for providing a full range of technical and professional advice and assistance on personnel matters to employees, supervisors and managers within a defined organizational or geographical area. The SPO exercises appointing and classification authorities for the organization it services and is responsible for ensuring that personnel actions which are effected meet all requirements of law, regulation, and policy, and are in keeping with the principles of sound personnel management.

2. Operating Office

The immediate organizational level to which the employee is assigned: specifically, that office in which the immediate supervisor is employed.

3. Administrative Staff

The staff assigned responsibility for administrative matters dealing with an Operating Office.

4. Immediate Supervisor

The supervisor with responsibility for evaluating the employee, approving/disapproving leave, assigning and reviewing work, etc.

5. Access

Permitting an individual to see and have copies made of records in a system of records which pertain to him/her.

6. Disclosure

The release of a record to anyone other than the individual to whom the record pertains. This includes disclosures to an employee's representative or to HHS employees with a "need to know" the contents of a particular record or file in order to perform officially assigned duties (e.g., disclosures to investigative personnel conducting an official investigation, personnel or records management survey teams, proposing authorities for adverse actions, etc.).

7. System of Records

Any group of records, under the control of an Agency from which information about an individual is retrieved by a personal identifier such as the name of an individual or a number, symbol, or other unique identifier assigned to an individual.

8. SF-7B Employee Record Extension File

Individualized file for each employee which is established, maintained, and housed by his/her immediate supervisor as stated under "Policy and General Requirements". The file may contain favorable and unfavorable information about an employee covering topics such as awards, disciplinary actions, adverse actions, performance, reassignment requests and details. Copies of leave or tardy records may be included in the file only when a need for improvement in attendance is indicated.

9. Memory Jogger(s)

Personal "supervisory" notes, i.e., information on employees over which the Agency exercises no control and does not require in its performance appraisal system. Notes are for the personal use of the author and are not provided to any other persons; are retained or discarded at the author's sole discretion; and are not used in appraising an employee or in determining any rights, benefits or privileges of an employee. Such notes are mere extensions of the supervisor's memory and are not subject to the Privacy Act and therefore, not considered part of a system of records.

POLICY AND GENERAL REQUIREMENTS

Records and files for each employee will be established, maintained, disclosed, retained, etc., in a manner which is fully consistent with management's needs, and the requirements of the Privacy/Freedom of Information Acts, implementing regulations, as well as the provisions of applicable Collective Bargaining Agreements. Furthermore, the IHS encourages efficiency in the recordkeeping and management processes. Records and files maintained on employees outside of the SPOs are subject to the following general requirements:

1. The authorized personnel records and files cited in "Authorized Records and Files" should be established, used, maintained and disposed of in accordance with the procedures cited in this Guide. The use of these authorized records will preclude any need for establishing duplicative, unnecessary, wasteful and perhaps illegal records.
2. A single SF-7B Employee Record Extension File (hereinafter referred to as the SF-7B File) will be established for each employee at the Operating Office in which the employee and/or the supervisor is located.
3. The SF-7B File will be readily accessible to the individual employee and his/her immediate supervisor.
4. Duplicate SF-7B Files will not be maintained by other operating levels within the component or installation. This does not preclude the immediate supervisor, or any other management official having the authority to initiate a personnel action, from keeping a copy of actions he or she initiates (e.g., a copy of SF-52, Request for Personnel Action). However, documents should be maintained in a subject matter or chronological file, not a duplicate SF-7B File.
5. The SF-7B File should be screened at least annually, and outdated items removed.
6. Retention of records in the SF-7B File should be limited to the prescribed periods as set forth in Exhibit I.
7. All personnel records on an individual employee maintained at the Operating Office, which relate to those authorized records and files, as set forth in "Authorized Records and Files", should be included as a part of the SF-7B File. Any written comments by the employee to such records should also be included in this file. The SF-7B Employee Record Card (hereinafter referred to as the SF-7B Card) may be filed within the SF-7B File or may be maintained at a separate location for administrative purposes.
8. The SF-7B File should be treated as confidential matter.

9. The employee and/or his/her representative should be permitted to inspect the SF-7B File upon request; however, an employee representative must have the employee's written authorization to inspect the SF-7B file. The immediate supervisor, or another management official must be present while the file is being reviewed.
10. Rosters, attendance lists, and similar materials which treat employees collectively do not fall within the definition of employee records or files covered by this Guide.

AUTHORIZED RECORDS AND FILES

The records and files listed below are those authorized for maintenance in Operating Offices:

1. The SF-7B Employee Record Card

- The SF-7B Card is designed to record information concerning an individual employee needed to initiate requests for personnel actions, to record completed personnel actions, training, qualifications, awards, or proposed or completed disciplinary actions or adverse actions, and to document other information which involves the personnel management responsibilities of the Operating Office.
- Information regarding the maintenance, use, retention and disposition of the SF-7B Card is set forth below in "Establishing and Maintaining the SF-7B Employee Record Card" and "Disposition".

2. The SF-7B Employee Record File

- The SF-7B File is a collection of temporary records that support personnel action entries on the SF-7B Card and contain information about an employee such as forms, notices, reports, memoranda, etc., which are placed in a single folder labeled "SF-7B Employee Record Extension File."
- The purpose of the SF-7B File is two-fold: it serves as a readily accessible depository for temporary records needed by supervisors in Operating Offices for the fulfillment of their administrative and personnel management functions, and it provides a single location readily accessible to the employee for the purpose of reviewing the file.
- Information regarding the maintenance, use, retention and disposition of the SF-7B File is set forth in Sections VII and VIII.

ESTABLISHING & MAINTAINING THE SF-7B EMPLOYEE RECORD CARD

1. The SF-7B Card is initially established by the SPO; the administrative staff, or the immediate supervisor. See Exhibit III for sample form.

The SF-7B Card should be maintained either as a part of the SF-7B File or separately, but must be stored in a locked cabinet or drawer (at the immediate supervisory level, when feasible). At local option, the records may be maintained at the first secure level above the immediate supervisor. Centralized locked files are also an acceptable alternative in order to ensure security.

2. Items containing basic information of a permanent nature (e.g., items 1-7, item 10, etc. will be typed). Subsequent entries to item 10 will be in ink. Entries for items containing information subject to change (e.g., items 8, 11, 14, etc.) will be in pencil. Entries about disciplinary and adverse actions (item 9) also will be in pencil.
3. The office authorized to retain the SF-7B card should maintain it while the employee is located in that organizational entity. Each personnel action affecting an employee's pay, official assignment, or tenure will be noted in item 10 on the SF-7B card. The information should be taken from the employee copy of the following documents before they are released to the employee:

<u>DOCUMENT</u>	<u>ACTION INVOLVING</u>
SF-5O Notification Personnel Action	Promotion, reassignment, within grade increase/denial, change to lower grade, suspension, leave without pay in excess of 80 consecutive hours, return to duty, name change, etc.
05-340 Earnings Statement	Employee suggestion award, pay adjustment for wage board and consultant employees, etc.
PMRS or EPMS Notification of Performance Rating	Outstanding or Unsatisfactory Performance Rating. DO NOT RECORD SATISFACTORY RATING.

Information about training, skills, education, examinations, reports of disciplinary and adverse actions, etc., may be shown in Item 9, ADDITIONAL INFORMATION AND REMARKS. Entries showing reports of disciplinary actions and adverse actions must be in pencil and erased when material on which the entry was based is removed from the SF-7B File.

ESTABLISHING AND MAINTAINING THE SF-7B FILE

1. Operating Offices should prepare the SF-7B file at the time the employee enters on duty.
2. The SF-7B File should be stored in a locked cabinet or drawer at a location determined by each Operating Office, to be readily accessible to the individual employee and the immediate supervisor.

3. The Management Official in charge of the office in which the SF-7B File is located is responsible for initially establishing such a file for each employee. The employee's name and "SF-7B Employee Record Extension File" should be typed on the flap of the folder be used to house the file. Any folder may be used for this purpose, except the USOPM designated Official Personnel Folder (SF-66).
4. The office should receive appropriate documents as described below and place them in the folder as soon as possible. After the records have been placed in the SF-7B File, the file should be reviewed with the employee to make sure that he or she is aware of it's contents. The employee should be given a copy of the material and should initial SF-7B documents in file to indicate acknowledgement.
5. If there is any material in the SF-7B File which might reflect adversely upon the employee's character or Government career, the employee must be given a copy of the material and should be given the opportunity to comment on the material in writing. If the employee submits comments, the comments should be attached to the material in question and placed in the file. Such documents should also be brought to the attention of SPO personnel to assist in determining whether or not any other action should be considered (i.e., employee in probationary period, etc.).
6. After the SF-7B File has been established, steps should be taken to insure that new records are placed in the SF-7B File as they originate; that the employee is aware of them and has had the opportunity to comment; and that retention periods for records are not exceeded. The primary responsibility for insuring that new records reach the file lies with the official who has delegated authority to initiate the actions which create the records (generally the immediate supervisor).
7. The basic rule is that records be kept in the SF-7B File only as long as an administrative need for the record exists. However, no record generally may be kept longer than two (2) years. The Filing and Retention Table, Exhibit I, provides guidance for use in determining how long various types of records should be kept in the file.
8. When it is necessary to keep a record of minor infractions because they are of sufficient frequency to suggest a potential problem, the employee should be told a record will be kept of each occurrence of the infraction or infractions and a copy of the details of the discussion should be filed in the employee's SF-7B File. Since this record, plus the ensuing records arising from further infractions may form the basis for future disciplinary action, they are required to be included in the file.
9. Supervisor's do not maintain "memory joggers" (i.e., unofficial records, evaluations or notes on individual employees) in the SF-7B File. Such working records may be maintained separately. However, when such "memory jogger" or unofficial notes are shared with other management staff members or are used as a basis for a

determination, e.g., leave restriction decision, performance appraisal, inclusive of a progress review conclusion, then they must be provided to the employee and a copy placed in the SF-7B File.

10. The employee should be given the opportunity to review the file when it is initially established. Each employee may also review his or her file upon request. This review must be made in the presence of the immediate supervisor (or a management official in whose office the file is maintained or his/her designee). After such review, the employee may prepare written comments on the material and will be give a copy of any material requested. An employee representative may review the file pursuant to specific written authorization from the employee. This review must also be made in the presence of an appropriate management official or his/her designee. Written authorization must be presented each time the representative wishes to review the file.

DISPOSITION

The SF-7B File and SF-7B Card should be forwarded by the losing office to the gaining office within five (5) workdays after an employee moves form one assignment to another within the IHS. When an employee terminates his/her employment with IHS or relocates within HHS, the losing office will forward the SF-7B File to the SPO for review and disposal.

The losing office is responsible for assuring that the SF-7B File is screened prior to its transmission for accuracy and currency of records maintenance.

FILING AND RETENTION SCHEDULES FOR THE MORE COMMON RECORDS IN THE SF-7B FILE

RETENTION PERIOD		
<u>Item</u>	<u>Normal</u>	<u>Maximum</u>
1. SF-52	Until SF-50 is received and the information posted on the SF-7B Card If for detail, 90 days after receipt by employee of regular appraisal.	1 year
2. Within-Grade Notification		
a) Advance Notice of Employee Eligibility	6 months	6 months
b) Certification of Negative Determination, Reconsideration Request and Determination ¹	1 year (or until a new determination is made prior to 1 year)	1 year
3. Request for Reassignment within Component	Until reassignment or if reassignment is denied, 1 year after receipt of denial notice	2 years
4. Request for Part-time Employment		
a) Approved	Until SF-50 is received and the information posted on the SF-7B Card	1 year
b) Denied	1 year after written decision	1 year
5. Approved Incentive Awards Documents (award and back-up information)	90 days after receipt by employee of the next regular appraisal	1 year
6. Request for Extended Leave	If approved, 1 month after expiration date. If disapproved, 1 year after Notice of Denial	1 year

	<u>Item</u>	<u>Normal</u>	<u>Maximum</u>
7.	Leave Restriction Notice	6 months	1 year
8.	Position Description	Reviewed at least annually to ensure accuracy/currency; remove when no longer current	
9.	Record of Interview concerning Performance	120 days after receipt by employee of the next regular appraisal	Same
10.	Production and Accuracy Record, Record Concerning Performance (including Letters of Commendation)	120 days after receipt by employee of regular appraisal	1 year ²
11.	Performance Appraisal (including Summary Rating) ³	1 year after receipt by employee	1 year
12.	Record of Interview Concerning Conduct	Until problem is resolved	2 years
13.	Admonishment or Reprimand and Adverse Action Proposals, Reprimand and Adverse Action Decisions	90 days after the written record, proposal or decision ⁴	2 years
14.	Employee's Written Comments	Purge with the record to which related	Same

¹ Immediately after issuance of any documents relating to these actions, an informational copy is to be provided to the Employee Relations Unit of the SF0. For all actions except admonishments, that office is responsible for maintaining the official files.

² Production and Accuracy Records may not be retained beyond 1 year unless needed to support a pending work performance action, but in no case may they be retained beyond 2 years.

³ Note that the Employee Performance File (EFF) is maintained by the SPO and is the official repository for performance appraisals, performance plans, progress reviews, etc.

⁴ The retention of a record of admonishment or other disciplinary action may be extended to the disposal date of a later disciplinary or adverse action, but in no case may such records be kept longer than 2 years.

RECORDS WHICH MUST NOT BE MAINTAINED IN THE SF-7B FILE

Examples of records that must not be retained in the SF-7B file include:

1. Grievance information¹
2. HHS-33, Probationary Employee Certification and Recommendation
3. Accident Reports
4. 05-340, Earnings and Leave Statement²
5. SF-71, Application for Leave³
6. SF-1126, Payroll Change Slip
7. Travel records
8. Denied award recommendations
9. Denied suggestions
10. Personal data relating to employee other than the subject employee (e.g., name, social security number, test score, etc.)
11. HHS-520, Request for Approval of Outside Activity
12. HHS-52I, Annual Report of Outside Activity
13. HHS-473, Statement of Employment and Financial Interest
14. Photocopies of SF-7B, Employee Record Card
15. Military Orders
16. Jury Duty Notification and Documentation of Attendance²
17. Records relating to income tax withholding, savings or bond allotments, insurance, etc.
18. EEO Complaints

During the processing of a grievance, the grievance is to be maintained by the appropriate deciding official. Grievance files should be forwarded to the SPO for maintenance.

¹ The employee's grievance and the grievance decisions at various stages may not be maintained in the SF-7B file since this retention, in effect, duplicates the official grievance file (maintained by the SPO). However, the record(s) which is the subject of the grievance (e.g., the appraisal) may be retained in accordance with the terms of any applicable negotiated agreement and this Instruction.

² These records are retained by the timekeeper.